



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|-------------------------------|------------------------|
| 09/876,361 | 06/07/2001 | Matthew R. Labarge | 60001.0044US01/MS#154687. | 9164 |
| 7590 MERCHANT & GOULD P.C. P.O. Box 2903 Minneapolis, MN 55402-0903 | | | EXAMINER SPOONER, LAMONT M | |
| | | | ART UNIT 2626 | PAPER NUMBER |
| | | | MAIL DATE 04/11/2008 | DELIVERY MODE PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/876,361

Applicant(s)

LABARGE, MATTHEW R.

Examiner

LAMONT M. SPOONER

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/7/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Introduction

1. This office action is in response to applicant's amendment filed 1/02/08. Claims 24-44 are currently pending and have been examined.

Claim Objections

2. Claim 1 is objected to because of the following informalities: In claim 1, line 25, "indicted" should probably be - -indicated- -. Claims 31 and 38 have similar issues. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 24-26, 28-33, 35-40, and 42-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Greco et al. (Greco, US 6,804,705) in view of Lissauer et al. (Lissauer, US 6,466,900).

As per **claims 24, 31 and 38**, Greco teaches a computer-implemented method for submitting a word processing document for translation services, the method comprising:

obtaining an original pre-translated word processing document (C.4 lines 6-12-his Microsoft Word document, C.4 lines 59-60), wherein the original pre-translated word processing document includes word processing text elements and non-word processing text elements (ibid-his document creation and image);

receiving a request on a word processor associated with the original pre-translated word processing document to translate the original pre-translated word processing document from a first language to a second language (Fig. 5B-his translate menu option);

sending a request to a redirector server for an address of a translation service for translating the original pre-translated word processing document from the first language to the second language (C.13 lines 15-23), wherein the request includes a language identifier for the first language and a language identifier for the second language (Fig. 4 item 430, C.9 lines 19-25 his menu options, C.8 lines 1-5 his menu);

receiving, from the redirector server, the address for a translation service for translating the original pre-translated word processing document from the first language to the second language in accordance with the

language identifier for the first language and the language identifier for the second language (C.13 lines 15-23);

saving, on a user computer, a first version of the original pre-translated word processing document, wherein the first version includes the word processing text elements and the non-word processing text elements (C.9 lines 1-5);

sending the version to the translation service indicated by the address received from the redirection server (C.13 lines 15-33, Fig. 4 item 430, Fig. 5B-his translate menu option);

receiving a translated version from the translation service, wherein the translated second version includes a translation of the word processing text elements (C.9 lines 23-26); and

displaying the translated version, wherein the translated second version is displayed in a display format of the original pre-translated word processing document (C.9 lines 19-26, and C.12 lines 45-53).

Greco lacks explicitly teaching generating a second version of the original pre-translated word processing document, wherein the second version includes the word processing text elements and does not include the non-word processing text elements, wherein the second version

includes links to the non-word processing text elements stored on the user computer, and sending the second version to the translation service indicated by the address received from the redirection server; and obtaining the non-word processing text elements of the first version by implementing the links of the of the translated second version, and displaying the translated second version with the non-word processing text elements populated from the links, wherein the translated second version is displayed in a display format of the original pre-translated word processing document.

However, Lissauer teaches the lacking elements, generating a second version of an original pre-translated... does not include the non-word processing text elements, ...includes links to the non-word processing text elements... (C.4.lines 15-29-"it only stores the path ..."), and obtaining the non-word processing text elements of the first version by implementing the links of the of the translated second version (C.6 lines 23-27),

Therefore, at the time of the invention, it would have been obvious to modify Greco's stored document by storing links to the non-word processing text elements (entries) and sending the second version which requires translation to the translation service and receiving the second

translated version, and implementing the links. The motivation for doing so would have been to save memory space, and provide a translation and display of the translated results in a format similar to the original document.

As per **claims 25, 32, and 39**, Greco and Lissauer make obvious the computer-implemented method of claim 24, wherein the redirector server is a remote server accessible via a distributed computing environment (Fig. 1 items 120 and 130).

As per **claims 26, 33 and 40**, Greco and Lissauer make obvious the computer-implemented method of claim 24, wherein the translation service is associated with a remote server accessible via a distributed computer environment (ibid).

As per **claims 28, 35 and 42**, Greco and Lissauer make obvious the computer-implemented method of claim 24, but lacks explicitly teaching wherein sending the second version includes sending the second version with an HTTP POST request. However, the Examiner takes Official Notice that a POST request is used to send data to a server to be processed (by definition and purpose). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to combine a POST

request with Greco's transmission of information to a server providing the benefit of utilizing a well known method of sending data via the Internet.

As per **claim 29, 36 and 43**, Greco and Lissauer make obvious the computer implemented method of claim 24, but lack explicitly teaching wherein sending a request to the redirector server includes an HTTP GET request, wherein the HTTP GET request includes the language identifier for the first language identifier for the second language. However, the Examiner takes Official notice that the GET request is used to send data to the server, more specifically, it is a string that identifies a data resource on the server (for example a specific query element to a specific database, GET /path/script.cgi?field1=value1&field2=value2 HTTP/1.0). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to combine a GET request with Greco's transmission of information to a server providing the benefit of utilizing a well known method of sending data via the Internet, to provide for a specific query information/values for a first and second language.

As per **claims 30, 38 and 44**, Greco and Lissauer make obvious the computer implemented method of claim 24. Greco further teaches wherein sending the version includes launching an instance of a web browser from

the word processor and submitting the version through the browser to the translation service (C.12 lines 50-53). Greco lacks explicitly teaching the version as a second version. However, Lissauer teaches the second version (see claim 24). Therefore, at the time of the invention, it would have been obvious to modify Greco's browser instance of sending a request with Lissauer's second version providing saved memory space during transmission and utilizing a well known method of online communication by Browser.

5. Claims 27, 34, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Greco et al. (Greco, US 6,804,705) in view of Lissauer et al. (Lissauer, US 6,466,900) as applied to claim 24 above, and further in view of Bourbonnais et al. (US 6,338,033).

As per **claims 27, 34 and 41**, Greco and Lissauer make obvious the computer-implemented method of claim 24, but the combination lack explicitly teaching wherein the second version is HTML, wherein the HTML includes tags pointing to the non-word processing text elements saved with the first version on the user computer.

However, Bourbonnais teaches HTML (translation services requiring HTML formatting of document for translation, see C.7 lines 15-30-his

supported formats for translation as HTML). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to modify the combination of Greco and Lissauer with Bourbannais' HTML format for transmission and translation and presentation/display to the user, providing the benefit of a known format for electronic online document transmission for translation and reception by an interface/browser.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory

period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAMONT M. SPOONER whose telephone number is (571)272-7613. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571/272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

lms
4/2/08

/Patrick N. Edouard/
Supervisory Patent Examiner, Art Unit 2626